

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DUSTIN FORD BRIGGS,

Petitioner

v.

JOHN E. WETZEL, Secretary, Pennsylvania  
Department of Corrections, et al.,

Respondents

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No. 3:11-CV-2156


(Judge Mariani)

THIS IS A CAPITAL CASE

ORDER

AND NOW, THIS 24<sup>th</sup> DAY OF SEPTEMBER, 2015, upon consideration of  
Petitioner's unopposed motion to dismiss without prejudice (Doc. 40), **IT IS HEREBY  
ORDERED THAT:**

1. Petitioner's motion to dismiss (Doc. 40) is **GRANTED**.
2. The stay of execution entered in this case (Doc. 11) is **VACATED**.
3. The Clerk of Court shall **CLOSE** this case.
4. There is no basis for the issuance of a certificate of appealability. 28  
U.S.C. § 2253(c).

  
Robert D. Mariani  
United States District Judge